

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

SUSAN FITZHUGH Individually	:	
and as Administratrix of the Estate	:	
of Estate of RAHEEM SMITH	:	
Plaintiff	:	No. 1:12:cv-591
v.	:	
	:	Judge Jones
CORIZON HEALTH, INC., et al.	:	
Defendants	:	Electronically Filed

**PETITION OF JAMES D. FAMIGLIO, ESQUIRE
FOR LEAVE TO
WITHDRAW APPEARANCE AS ATTORNEY FOR PLAINTIFF**

1. Your Petitioner is James D. Famiglio, Esquire, attorney of record for Plaintiff Susan Fitzhugh, Individually and as Administratrix of the Estate of Estate of Raheem Smith. .

2. Petitioner undertook to represent the Plaintiff in a §1983 Federal Civil Rights Action against the above-captioned Defendants.

3. Petitioner initiated this cause of action on March 30, 2012. Copies of process were timely and properly served on the Defendants.

4. An Amended Complaint was filed in response to the Defendants' Motions.

5. A Motion to Dismiss was filed by all Defendants, which was responded to by Petitioner, and which was denied in part/granted in part by the Court.

6. After engaging in preliminary discovery, differences have arisen and have not been resolved between Plaintiff and her counsel concerning the continued representation of Plaintiff in this matter as they pertain to theories

of liability for the Defendants.

7. Petitioner believes it to be in the best interest of his client that he withdraw as Plaintiff's counsel.

8. No undue prejudice will be done to Plaintiff by allowing her counsel to withdraw from representation at this time.

WHEREFORE, Petitioner respectfully requests that this Honorable Court grant this Petition for Leave to Withdraw and enter the proposed Order accompanying this Petition.

Respectfully submitted,

Law Offices
JAMES D. FAMIGLIO, P.C.

By: s/ JAMES D. FAMIGLIO
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Dated: 6/12/13